

CITY-COUNTY GENERAL ORDINANCE NO. 100, 1989

DOCKET NUMBER 89-AO-2  
THE DWELLING DISTRICTS ZONING ORDINANCE  
OF  
MARION COUNTY, INDIANA

A GENERAL ORDINANCE to amend Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County which ordinance includes the Dwelling Districts Zoning Ordinance, as amended, and the Marion County Master Plan Permanent Zoning Ordinance, as amended, and fixing a time when the same shall take effect.

WHEREAS, I.C. 36-7-4 establishes the Metropolitan Development Commission of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the Metropolitan Development Commission to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana an ordinance or ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; and

WHEREAS, The Marion County Master Plan Permanent Zoning Ordinance, adopted November 12, 1948 and subsequently amended, contains provisions which are obsolete and in need of revision or removal; and

WHEREAS, The Dwelling Districts Zoning Ordinance for Marion County, Indiana, 66-AO-02, as subsequently amended, has not been revised substantially in twenty-three years; and

WHEREAS, in the time period since the original adoption of the Dwelling Districts Zoning Ordinance for Marion County, technology in the home building industry has changed, with many new innovations not being reflected in the Dwelling Districts Zoning Ordinance; and

WHEREAS, in the time period since the original adoption of the Dwelling Districts Zoning Ordinance for Marion County, development patterns and consumer preferences within the County have changed, with these changes also not being reflected in the Dwelling Districts Zoning Ordinance; and

WHEREAS, in the same time period, neighborhoods have grown increasingly concerned over the type and quality of residential environment and development occurring in and near their areas; and

WHEREAS, the Metropolitan Development Commission and the City-County Council desire to address the needs of both the home building industry and neighborhoods in creating an ordinance which meets the long term needs of the City/County as a whole; and

WHEREAS, in creating such an ordinance, the Metropolitan Development Commission and the City-County Council desire to consolidate all zoning districts, classifications, and applicable permitted uses and standards pertaining to development currently found in the two sections of the Marion County Master Plan Permanent Zoning Ordinance that pertain to agricultural and forestry districts, into a single zoning classification in the Dwelling Districts Zoning Ordinance; and

WHEREAS, in order to accomplish the consolidation of zoning districts noted above, the Metropolitan Development Commission and the City-County Council have created the D-A (Dwelling-Agricultural) District as a successor district to the A, A-1 and A-2 (Agricultural) Districts and the F (Forestry) District of the Marion County Master Plan Permanent Zoning Ordinance, allowing within the newly created district all uses currently provided for in the current Agricultural and Forestry Districts; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Dwelling Districts Zoning Ordinance of Marion County, Indiana, adopted as an amendment to Marion County Council Ordinance No. 8, 1957, as adopted and amended under Metropolitan Development Commission Docket Numbers 66-AO-02, 67-AO-1, 67-AO-2, 67-AO-3, 67-AO-6, 67-AO-8, 68-AO-5, 69-AO-4, 69-AO-5, 71-AO-5, 73-AO-1, 74-AO-3, 75-AO-1, 81-AO-2, 82-AO-1, 86-AO-2, and 87-AO-1, is hereby repealed.

SECTION 2. Marion County Council Ordinance No. 8, 1957 is hereby amended to include the following language as the Dwelling Districts Zoning Ordinance:

CHAPTER I  
DWELLING ZONING DISTRICTS

SECTION 1.00. ESTABLISHMENT OF DWELLING ZONING DISTRICTS

The following primary DWELLING ZONING DISTRICTS for Marion County, Indiana, are hereby established, and land within said County zoned to said district classifications shall be designated on the applicable zoning maps by the following zoning district symbols, respectively (which maps are a part of said Ordinance No. 8-1957, as amended, and are hereby incorporated by reference and made a part of this ordinance):

DWELLING ZONING DISTRICTS

| <u>DISTRICT</u>                   | <u>SYMBOL</u> |
|-----------------------------------|---------------|
| DWELLING AGRICULTURE DISTRICT     | D-A           |
| DWELLING SUBURBAN DISTRICT        | D-S           |
| DWELLING DISTRICT ONE             | D-1           |
| DWELLING DISTRICT TWO             | D-2           |
| DWELLING DISTRICT THREE           | D-3           |
| DWELLING DISTRICT FOUR            | D-4           |
| DWELLING DISTRICT FIVE            | D-5           |
| DWELLING DISTRICT FIVE-TWO        | D-5II         |
| DWELLING DISTRICT SIX             | D-6           |
| DWELLING DISTRICT SIX-TWO         | D-6II         |
| DWELLING DISTRICT SEVEN           | D-7           |
| DWELLING DISTRICT EIGHT           | D-8           |
| DWELLING DISTRICT NINE            | D-9           |
| DWELLING DISTRICT TEN             | D-10          |
| DWELLING DISTRICT ELEVEN          | D-11          |
| DWELLING DISTRICT TWELVE          | D-12          |
| PLANNED UNIT DEVELOPMENT DISTRICT | D-P           |

CHAPTER II  
DWELLING DISTRICT REGULATIONS

SECTION 2.00. GENERAL DWELLING DISTRICT REGULATIONS

The following regulations shall apply to all land within the DWELLING DISTRICTS.

A. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. A lot may be divided into two (2) or more lots, provided that all resulting lots and all buildings thereon shall comply with all of the applicable provisions of the Dwelling Districts Zoning Ordinance of Marion County. If such a lot, however, is occupied by a nonconforming building, such lot may be subdivided provided such subdivision does not create a new noncompliance or increase the degree of noncompliance of such building.
3. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance with the exception of the following provisions:

a. Restoration of Legally Established Nonconforming Uses, Structures, Buildings

Legally established nonconforming uses and structures or buildings may be restored to their original dimensions and conditions if damaged or partially destroyed by fire or other disaster provided the damage or destruction does not exceed two-thirds ( $2/3$ ) of the gross floor area of the building, structure or facilities affected. Except, however, all land within any Flood Control District shall be bound by the forty percent (40%) limitation of Section 2.00, B.2. of the Flood Control Districts Zoning Ordinance of Marion County, Indiana, (71-A0-3, as amended).

b. Discontinuation of Nonconformity

The lawful nonconforming use or occupancy of any lot, in a Dwelling District, existing at the time of the effective date of this ordinance, may be continued as a nonconforming use, but

if such nonconforming use is discontinued for one (1) year, any future use or occupancy of said land shall be in conformity with the provisions of this ordinance.

c. Legally Established Nonconforming Uses - Public Schools

Any legally established nonconforming use public elementary, middle, junior high or high school (including any structures, facilities and parking areas accessory thereto) may be converted, enlarged, extended, reconstructed or relocated for such public school use on the same lot or parcel as it existed on August 8, 1966, provided such school building, structure, facilities and parking area shall conform to the minimum yard and setback requirements of the applicable DWELLING DISTRICT.

d. Side and rear yard exceptions

(1) The minimum side and rear yard setback requirements of the D-S, D-1, D-2, D-3, D-4, D-5, D-5II and D-8, (for a lot containing single or two- dwelling units) Zoning Districts shall be subject to the following exceptions:

- i. Legally established, detached, accessory garages may be reconstructed on an existing foundation even though such reconstruction would not comply with required side or rear yards.
- ii. The primary building may be enlarged or extended along a legally established nonconforming side yard between the established front setback line and the established rear setback line of the primary building provided that the lineal footage of such enlargement or extension does not exceed fifty percent (50%) of the lineal footage of the primary building along that side setback line.

(2) The minimum side and rear yard setback requirements of all Dwelling Zoning Districts shall be subject to the following exception:

Eave or cornice overhangs, bay windows, chimneys and other similar appurtenant structural projections from a primary or accessory building may encroach into a required side or rear yard no more than two (2) feet.

e. Lot area, lot width exception

Any lot recorded or any platted lot recorded prior to the adoption of this ordinance, having less than the minimum lot

area or minimum lot width required by the applicable DWELLING DISTRICT regulations of this ordinance for a single-family dwelling, shall be deemed an exception to such minimum lot area and lot width requirement, and a single-family dwelling may be constructed hereon provided all other requirements of this ordinance, including minimum yard and setback requirements, shall be maintained.

f. D-A District exceptions

- (1) Any single-family dwelling on any lot in a D-A District, developed prior to the adoption of this ordinance under the applicable A-1 or A-2 Agricultural District standards of the Marion County Master Plan Permanent Zoning Ordinance, may be converted, enlarged, extended, reconstructed or relocated if such activity is in accordance with the standards previously applicable thereto as said lot was previously zoned. Except, however, the previously applicable size limitations for garages and other accessory use standards shall not be applicable, in which case the standards of this ordinance shall apply.
- (2) For any lot or platted lot in the D-A District recorded prior to the adoption of this ordinance, having less than the minimum lot area or minimum lot width required by the D-A District regulations of this ordinance, the following development standards may be modified as set forth below:
  - i. minimum lot width at setback: 80 feet.
  - ii. minimum side yard setback: aggregate - 24 feet, provided no side yard shall be less than twelve (12) feet.
  - iii. minimum rear yard setback: fifteen (15) feet.
  - iv. minimum street frontage: 80 feet on a public street right-of-way.

g. D-6 and D-6II District single family exception

In the D-6 and D-6II District, a single or two-family dwelling, including accessory structures, may be constructed, erected, enlarged, extended, or reconstructed on any platted lot recorded prior to the adoption of this ordinance which was specifically platted for single family dwelling purposes. Such development shall be in accordance with the approved plat, any restrictions thereof, and any commitments resulting from the rezoning of such lot.

4. The front setback and minimum front yard requirements of all Dwelling Zoning Districts shall be subject to the following exception for all land within the Town of Meridian Hills, Indiana:

The required front setback and minimum yard requirements applicable to all land within the Town of Meridian Hills, Indiana, however presently zoned, shall be not less than the standards of the Class R-1, R-2, and R-3 area Districts, respectively, previously applicable thereto as said land was formerly zoned, in accordance with the Meridian Hills Zone Map and section 12 of the Zoning Ordinance of the Town of Meridian Hills, Indiana, General Ordinance No. 1, 1946, prior to the effective date of the comprehensive Dwelling Districts Zoning Ordinance of Marion County, Indiana, Ordinance 66-AO-2, which rezoned and reclassified said land. (Said Zoning Ordinance of the Town of Meridian Hills, Indiana, section 12 and Meridian Hills Zone Map, adopted by the Marion County Council March 28, 1957, as a part of Marion County Council Ordinance No. 8-1957, are hereby incorporated herein by reference).

5. Secondary Means of Escape.

Any secondary means of escape which includes, but is not limited to, fire escapes or similar emergency accesses, shall be located on the rear or side facades of the building or structure. In the case of a building or structure located on a corner lot, the secondary means of escape shall not be located on the facade of any building or structure which has frontage along a public or private street.

6. Side Yard Setback - Zero Lot Line Option

The minimum side yard setback requirements of the D-S, D-1, D-2, D-3, D-4, D-5, and D-5II Zoning Districts shall be subject to the following exceptions:

Any plat of a subdivision submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce the minimum side yard requirement for one side yard of each lot to zero (0) feet provided that:

- a. A minimum distance of ten (10) feet shall be required and maintained between all buildings on adjacent lots; and,
- b. No windows or doors shall be provided or maintained on that portion of the structure which reduces the required side yard by use of this exception; and,

- c. The aggregate side yard(s) is provided on the lot according to the applicable dwelling district regulations; and,
  - d. An easement, providing for the continual maintenance of that portion of the structure which reduces the required side yard by use of this exception, is provided, recorded and maintained.
7. Exceptions to dwelling district development standards for the development of Cluster Subdivisions.

In any plat of a subdivision recorded after January 1, 1990 in the D-S, D-1, D-2, D-3 and D-4 Zoning Districts the following exceptions shall apply.

Any subdivision, the plat of which is submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana may be developed as a cluster subdivision in accordance with the following:

a. Purpose

Cluster subdivisions are intended to allow greater flexibility in design and development of subdivisions, in order to produce innovative residential environments, provide for more efficient use of land, protect topographical features, and permit common area and open space. To accomplish this purpose, the following regulations and exceptions shall apply only to cluster subdivisions.

b. Exceptions to dwelling district development standards.

Exceptions to the development standards relating to the subdivision's lot size, shape and dimensions may be permitted for individual lots within a cluster subdivision, as follows:

(1) Project Area (Minimum Size of Subdivision).

There shall be a minimum of five (5) acres required for the development of a cluster subdivision. The tract of land to be developed shall be in one ownership or shall be the subject of an application filed by the owners of the entire tract. The tract shall be developed as a unit and in the manner approved.

(2) Project Density.

The overall maximum density of the proposed cluster subdivision shall remain the same as that permitted by developing the same site area into developable lots in



full compliance with the applicable underlying dwelling district regulations and The Subdivision Control Ordinance of Marion County, Indiana.

(3) Sewers.

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in any cluster subdivision with a minimum lot area of less than 24,000 sq. ft.

(4) Area, Width, Setback, and Open Space for Individual Lots.

Individual lots in a cluster subdivision are exempt from the following development standards of the applicable dwelling district:

- i. minimum lot area.
- ii. minimum lot width.
- iii. minimum lot width at setback.
- iv. minimum side and rear yard setback regulations.

Minimum side and rear yard setback regulations may be modified by the following:

- (a) Setback from any subdivision boundary property lines: Twenty (20) feet.
- (b) The minimum rear yard setback: Fifteen (15) feet.
- (c) The minimum side yard setback shall have a minimum depth in accordance with Section 2.00, 6., Side yard setback - Zero lot line option.
- v. The minimum street frontage.

Minimum street frontage may be reduced to fifteen (15) feet provided, however, that each individual lot shall have direct access to a public street, and,

- vi. Minimum open space.

Individual cluster lots shall have a minimum open space of fifty (50) percent.

(5) Project Open Space.

The amount of permanent open space created by the development of the site as a cluster subdivision shall be equivalent to, or more than, the total reduction in lot sizes. At least seventy-five (75) percent of the total amount of open space shall consist of tracts of land at least fifty (50) feet wide.

The open space created by the development of the site as a cluster subdivision shall be provided in such a manner that it is preserved in its naturally occurring state for passive recreational activities. A subordinate amount of this open space may be developed as a common recreational area. The open space created by the development of the site as a cluster subdivision shall further be provided in such a manner that it is accessible to residents of the subdivision and for maintenance. The open space shall perpetually run with the subdivision and shall not be developed or separated from the cluster subdivision at a later date. Provisions shall be made for continuous and adequate maintenance at a reasonable and non-discriminatory rate of charge.

c. Procedures for Cluster Subdivision Approval.

- (1) The petitioner shall submit two site plans for the property proposed for a cluster subdivision for review and conceptual design approval by the Administrator prior to filing for plat approval.
  - i. Site Plan One shall depict the development of the site in full compliance with all use and development standards of the applicable underlying dwelling district and the Subdivision Control Ordinance of Marion County, Indiana. This site plan will be used to determine the maximum number of developable lots possible on the site and set the density of that development.
  - ii. Site Plan Two shall depict the development of the site as a proposed cluster subdivision. The density of the overall development shall be no greater than that permitted by the development of the site depicted in Site Plan One.
- (2) The Administrator shall compare the proposed cluster subdivision with the site plan showing the same site developed in compliance with the applicable dwelling

district and determine the appropriateness of cluster design for the site.

- (3) In determining the appropriateness of cluster design for the site, the Administrator shall look for the following attributes:
- i. Protection of unique topographical features on the site, including, but not limited to: slopes, streams, natural water features.
  - ii. Protection and preservation of wooded areas, individual trees of significant size, wetlands, or other environmentally sensitive features.
  - iii. Development of common open space and recreational areas accessible to residents of the subdivision including provisions for walkways and bikeways.
  - iv. Provide a more efficient use of the land.
  - v. Produce innovative residential environments.
  - vi. Minimize the alteration of the natural site features to be preserved through the design and situation of individual lots, streets, and buildings.
  - vii. Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationship between development and the land.
  - viii. Relationship to surrounding properties, improvement of the view from and of buildings, and minimizing of the land area devoted to motor vehicle access shall be encouraged through the arrangement and situation of individual lots, buildings, and units.
- (4) The administrator shall further review the proposed cluster subdivision to ensure that the proposed cluster development will be constructed, arranged, and operated so as not to interfere with the development and use of neighboring property, in accordance with the applicable district regulations, to include any necessary transition along the perimeter of the development with adjacent single-family zoning districts.
- (5) If upon review, the Administrator, based upon the attributes noted above, determines that the proposed

cluster subdivision is not appropriate for the site, the Administrator shall inform the petitioner in writing of the determination. The petitioner may, within five (5) business days, appeal the Administrator's decision by filing an approval petition before the Metropolitan Development Commission.

- (6) If upon review, the Administrator, based upon the attributes noted above, determines that the proposed cluster subdivision is appropriate for the site, the Administrator shall inform the petitioner in writing of the determination. The petitioner may then proceed with the filing of a preliminary plat before the Plat Committee. The filed plat shall be in substantial compliance with the proposed plat approved by the Administrator.

d. Maintenance of common open space areas.

As a condition of Administrator's Approval of the cluster subdivision permitting exceptions to the standard requirements of the applicable zoning district, the petitioner shall submit with the site plan for review and approval documentary assurances that permanent dedication of the open space areas shall be made and that adequate provision(s) is being made for continuous and adequate maintenance of project open space, common areas and recreation areas. Once approved by the Administrator, the documentary assurances shall be filed with the plat committee at the time of a petition for plat approval is initiated. Further, the documentary assurances shall be incorporated in the plat that is recorded with the office of the Marion County Recorder. No exceptions to these requirements shall be permitted unless the Plat Committee determines that the petitioner has adequately provided for such upkeep, protection and maintenance of open space, common area or recreational areas through other legally binding perpetual agreements.

- B. All uses established or placed into operation after August 2, 1966 shall comply with the following performance standards. No use in existence of the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

1. VIBRATION No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.
2. SMOKE No use shall emit smoke of a density equal to or greater than No. 2 according to the Ringlemann Scale, as now

published and used by the U. S. Bureau of Mines, which scale is on file in the office of the Division of Development Services, and is hereby incorporated by reference and made a part hereof.

3. DUST           No use shall cause dust, dirt or fly-ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the public health, safety or welfare or causing injury to property.
4. NOXIOUS  
MATTER       No use shall discharge across the lot lines noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
5. ODOR       No use shall emit across the lot lines odor in such quantity as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
6. SOUND       No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat, frequency, shrillness or vibration.
7. HEAT AND  
GLARE       No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
8. WASTE       No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; and the Stream Pollution Control Board of the State of Indiana, or in such a manner as to endanger the public health, safety or welfare; or cause injury to property.

SECTION 2.01. D-A DWELLING AGRICULTURE DISTRICT REGULATIONS

STATEMENT OF PURPOSE

The D-A District provides for a variety of agricultural enterprises. It is intended to provide for the production, keeping or maintenance, for sale, lease or personal use, of plants and animals and any mutations or hybrids thereof, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; the breeding or grazing of animals; hog operations; bee and apiary products; or lands devoted to a soil conservation or forestry management program. A single-family dwelling is intended to be permitted as a part of such an agricultural enterprise. A secondary intent of this district is large estate development of single-family dwellings. This district represents the very low density residential classification of the Comprehensive General Land Use Plan, and in fact provides for the lowest density of the Dwelling Districts Zoning Ordinance. This district does not require public water and sewer facilities. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.

A. PERMITTED D-A USES

The following uses shall be permitted in the D-A DISTRICT. All uses in the D-A DISTRICT shall conform to the D-A Development Standards (section 2.01, B) and the Dwelling District Regulations of section 2.00.

1. Either one SINGLE-FAMILY DWELLING, including a Manufactured Home as regulated in section 2.22, or One GROUP HOME, as defined in section 2.25, or One RELIGIOUS USE, as regulated in section 2.24.
2. FORESTS, FOREST PROPAGATION NURSERIES, ARBORETUMS.
3. FISH HATCHERIES, LAKES AND PONDS.
4. PROJECTS SPECIFICALLY DESIGNED FOR CONSERVATION OF SOIL OR WATER OR WATERSHED PROTECTION.
5. COMMERCIAL GREENHOUSES AND PLANT NURSERIES, excluding retail sales.
6. TRUCK GARDENS AND RELATED FIELD CROPS, MUSHROOM CELLARS, GENERAL GARDENING AND APIARIES.
7. PRODUCTION OF GRAINS, GRASSES, PLANTS, VINES, AND ORCHARDS.
8. STANDS FOR THE SALE OF AGRICULTURAL PRODUCTS PRODUCED ON THE LOT.

9. GRAZING OR FEEDING OF LIVESTOCK FOR ANIMAL INCREASE OR VALUE INCREASE. Provided, however, any area devoted to confinement operations for cattle, hogs or poultry shall be a minimum of five hundred (500) feet from any dwelling unit which is located on a lot of less than three (3) acres, other than the principal homestead.
10. BARNs, SHEDs, STORAGE BUILDINGS AND FENCES ESSENTIAL TO AN AGRICULTURAL ENTERPRISE. Provided, however, an agricultural enterprise must be conducted on the lot and shall encompass a minimum of one-half (1/2) acre.
11. TEMPORARY USES, as regulated in section 2.18.
12. ACCESSORY USES, as regulated in section 2.19.
13. HOME OCCUPATIONS, as regulated in section 2.20.

B. D-A DEVELOPMENT STANDARDS

1. USE
  - a. No operations or activities for pecuniary gain which package products for final market distribution or which mechanically, electrically or chemically transform raw materials into new products, other than cultivation or animal husbandry, shall be permitted.
  - b. The use of lakes and ponds shall not include commercial or recreational activities which are open to the general public for a fee.
2. MINIMUM LOT AREA Minimum lot area: 3 acres
3. MINIMUM LOT WIDTH AND STREET FRONTAGE
  - a. Minimum lot width at the required setback line: 250 feet, provided, however, a minimum lot width of 125 feet shall be maintained between the right-of-way line and the front setback line established by existing structures on the lot or structures proposed for the lot.
  - b. Minimum street frontage: Each lot shall have at least 125 feet of frontage on a public street and shall gain direct access from said street.
4. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard: Front yards having a minimum depth in accordance with the setback requirements of section 2.21, A, shall be provided along all public street right-of-way lines.

- b. Minimum rear yard: 75 feet
  - c. Minimum side yard: Aggregate: 75 feet Provided, however, no side yard shall be less than 30 feet.
- 5. MINIMUM OPEN SPACE Minimum open space: 85 percent of the lot area.  
However, in the case of greenhouses and plant nurseries, the minimum open space shall be fifty (50) percent of the lot area.
- 6. MAXIMUM HEIGHT
  - a. Primary building (single-family dwelling): 35 feet
  - b. Accessory buildings to a single-family dwelling: 20 feet
  - c. Accessory buildings essential to an agricultural enterprise: unlimited
- 7. MINIMUM MAIN FLOOR AREA Minimum main floor area of the primary building (single-family dwelling), exclusive of garage, carports, and open porches:
  - \* One-story building: 1,200 sq. ft.
  - \* Building higher than one story: 800 sq. ft., provided the total floor area shall be at least 1,200 sq.ft.
- 8. OFF-STREET PARKING AND PUBLIC STREETS Off-street parking areas and public streets shall be provided in accordance with section 2.21, E and C.



SECTION 2.02. D-S DWELLING SUBURBAN DISTRICT REGULATIONS

STATEMENT OF PURPOSE

The D-S District is intended for use in areas of extreme topography, areas conducive to estate development, or areas where it is desirable to permit only low density development, (such as adjacent to flood plains, aquifers, urban conservation areas, within the extended alignment of airport runways, etc.). Of the dwelling districts providing for only single-family dwellings, the D-S District provides the lowest density in the ordinance. The D-S District provides for single-family residential building lots consisting of at least one acre. A typical density for the D-S District is 0.4 units/gross acre. This district represents the very low density residential classification of the Comprehensive General Land Use Plan. This district does not require public water and sewer facilities. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife, (refer to the Cluster Subdivision option of Section 2.00).

A. PERMITTED D-S USES

The following uses shall be permitted in the D-S DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-S DISTRICT shall conform to the D-S Development Standards (section 2.02, B) and the Dwelling District Regulations of section 2.00.

1. PRIMARY USES:

- a. SINGLE-FAMILY DWELLING, including a Manufactured Home as regulated in section 2.22.
- b. GROUP HOME, as defined in section 2.25.
- c. RELIGIOUS USE, as regulated in section 2.24.

2. TEMPORARY USES, as regulated in section 2.18.

3. ACCESSORY USES, as regulated in section 2.19.

4. HOME OCCUPATIONS, as regulated in section 2.20.

B. D-S DEVELOPMENT STANDARDS

- 1. MINIMUM LOT AREA Minimum lot area: 1 acre

Provided, however:

Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum lot area for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to twenty (20) percent below such 1-acre requirement, provided the average size of all lots within said approved plat shall be at least one (1) acre.

2. MINIMUM LOT WIDTH AND STREET FRONTAGE
  - a. Minimum lot width at the required setback line: 150 feet
  - Provided, however:

Any plat of a subdivision consisting of 5 or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum width for up to 20 percent of the total number of lots within said plat, to the extent of up to 20 percent below such 150-foot requirement.
  - b. Minimum street frontage: Each lot shall have at least 75 feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard: Front yards having a minimum depth in accordance with the setback requirements of section 2.21, A, shall be provided along all public street right-of-way lines.
  - b. Minimum rear yard: 25 feet
  - c. Minimum side yard: Aggregate: 35 feet  
Provided, however, no side yard shall be less than 15 feet.
4. MINIMUM OPEN SPACE Minimum open space: 85 percent of the lot area.
5. MAXIMUM HEIGHT
  - a. Primary building: 35 feet
  - b. Accessory buildings: 20 feet

6. MINIMUM MAIN FLOOR AREA Minimum main floor area of the primary building, exclusive of garage, carports, and open porches:  
One-story building: 1,200 sq. ft.  
Building higher than one story: 800 sq. ft., provided the total floor area shall be at least 1,200 sq. ft.
7. OFF-STREET PARKING AND PUBLIC STREETS Off-street parking areas and public streets shall be provided in accordance with section 2.21, E and C.

SECTION 2.03. D-1 DWELLING DISTRICT ONE REGULATIONS

STATEMENT OF PURPOSE

The D-1 District is intended for use in suburban areas. There is no specific requirement for the placement of this district other than carrying out the single-family low density patterns expressed by the Comprehensive General Land Use Plan. The D-1 District has a typical density of 0.9 units/gross acre. This district represents the very low density residential classification of the Comprehensive General Land Use Plan. Under most circumstances, public water and sewer facilities should be present, but are not mandatory. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife (refer to the Cluster Subdivision option of Section 2.00).

A. PERMITTED D-1 USES

The following uses shall be permitted in the D-1 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-1 DISTRICT shall conform to the D-1 Development Standards (section 2.03, B) and the Dwelling District Regulations of section 2.00.

1. PRIMARY USES:

- a. SINGLE-FAMILY DWELLING, including a Manufactured Home as regulated in section 2.22.
- b. GROUP HOME, as defined in section 2.25.
- c. RELIGIOUS USE, as regulated in section 2.24.

2. TEMPORARY USES, as regulated in section 2.18.

3. ACCESSORY USES, as regulated in section 2.19.

4. HOME OCCUPATIONS, as regulated in section 2.20.

B. D-1 DEVELOPMENT STANDARDS

1. MINIMUM LOT AREA Minimum lot area: 24,000 sq. ft.

Provided, however:

Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana,

subsequent to the effective date of this ordinance may reduce said minimum lot area for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to twenty (20) percent below such 24,000 sq. ft. requirement, provided the average size of all lots within said approved plat shall be at least 24,000 sq. ft.

2. MINIMUM LOT WIDTH AND STREET FRONTAGE
  - a. Minimum lot width at the required setback line: 90 feet  
 Provided, however:  
 Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum width for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to twenty (20) percent below such 90-foot requirement.
  - b. Minimum street frontage: Each lot shall have at least 45 feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and yard: Front yards having a minimum depth in accordance with the setback requirements of section 2.21, A, shall be provided along all public street right-of-way lines.
  - b. Minimum rear yard: 25 feet
  - c. Minimum side yard: Aggregate: 22 feet  
 Provided, however, no side yard shall be less than 8 feet.
4. MINIMUM OPEN SPACE
  - a. Minimum open space: 80 percent of the lot area.
5. MAXIMUM HEIGHT
  - a. Primary building: 35 feet
  - b. Accessory buildings: 20 feet
6. MINIMUM MAIN FLOOR AREA
  - a. Minimum main floor area of the primary building, exclusive of garage, carports, and open porches:  
 One-story building: 1,200 sq. ft.

Building higher than one story: 800 sq. ft., provided the total floor area shall be at least 1,200 sq. ft..

7. OFF-STREET PARKING AND PUBLIC STREETS Off-street parking areas and public streets shall be provided in accordance with section 2.21, E and C.

SECTION 2.04. D-2 DWELLING DISTRICT TWO REGULATIONS

STATEMENT OF PURPOSE

The D-2 District is intended for use in suburban areas of the County. There is no specific requirement for the placement of this district other than carrying out the single-family low density patterns expressed by the Comprehensive General Land Use Plan. The D-2 District has a typical density of 1.9 units/gross acre. Two-family dwellings are permitted on corner lots in this district. This district represents the most intense development recommended for the very low density classification of the Comprehensive General Land Use Plan. Public water and sewer facilities shall be present. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife (refer to the Cluster Subdivision option of Section 2.00).

A. PERMITTED D-2 USES

The following uses shall be permitted in the D-2 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-2 DISTRICT shall conform to the D-2 Development Standards (Section 2.04, B) and the Dwelling District Regulations of section 2.00.

1. PRIMARY USES:

- a. SINGLE-FAMILY DWELLING, including a Manufactured Home as regulated in section 2.22.
- b. TWO-FAMILY DWELLING, (permitted on corner lots only) as regulated in section 2.04, B, 2, c.
- c. GROUP HOME, as defined in section 2.25.
- d. RELIGIOUS USE, as regulated in section 2.24.

2. TEMPORARY USES, as regulated in section 2.18.

3. ACCESSORY USES, as regulated in section 2.19.

4. HOME OCCUPATIONS, as regulated in section 2.20.

B. D-2 DEVELOPMENT STANDARDS

1. MINIMUM Minimum lot area:  
LOT AREA Single-family Dwelling: 15,000 sq. ft..  
Two-family Dwelling: 20,000 sq. ft.

Provided, however:

Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum lot area for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to twenty (20) percent below such 15,000 sq. ft. requirement, provided the average size of all lots within said approved plat shall be at least 15,000 sq. ft..

Provided further, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district for lots in any plat of a subdivision recorded after January 1, 1990.

2. MINIMUM LOT WIDTH AND STREET FRONTAGE
- a. Minimum lot width at the required setback line:
    - \* Single-family Dwelling: 80 feet
    - \* Two-family Dwelling: 120 feet (on each street).

Provided, however:

Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum width for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to ten (10) percent below such 80-and 120-foot requirements.

- b. Minimum street frontage: Each lot shall have at least 40 feet of frontage on a public street and shall gain direct access from said street.
- c. Orientation of two-family dwellings: On corner lots, the orientation (front doors, driveways) of each unit in a two-family dwelling shall be toward a different street frontage.



3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard: Front yards having a minimum depth in accordance with the setback requirements of section 2.21, A, shall be provided along all public street right-of-way lines.
  - b. Minimum rear yard: 25 feet
  - c. Minimum side yard: Aggregate: 19 feet Provided, however, no side yard shall be less than 7 feet.
4. MINIMUM OPEN SPACE Minimum open space: 75 percent of the lot area.
5. MAXIMUM HEIGHT
  - a. Primary building: 35 feet
  - b. Accessory buildings: 20 feet
6. MINIMUM MAIN FLOOR AREA
  - Minimum main floor area of the primary building, exclusive of garage, carports, and open porches:
  - \* One-story building: 1,200 sq. ft. for each dwelling unit.
  - \* Building higher than one story: 800 sq. ft. for each dwelling unit in the building, provided the total floor area of each unit shall be at least 1,200 sq. ft..
7. OFF-STREET PARKING AND PUBLIC STREETS Off-street parking areas and public streets shall be provided in accordance with section 2.21, E and C.

## SECTION 2.05. D-3 DWELLING DISTRICT THREE REGULATIONS

## STATEMENT OF PURPOSE

The D-3 District is intended for areas of low or medium intensity single-family residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be rather closely associated with community and neighborhood facilities (schools, parks, shopping areas, etc.). Two family dwellings are permitted on corner lots in this district. The D-3 District has a typical density of 2.6 units/gross acre. This district represents the low density residential classification of the Comprehensive General Land Use Plan. All public facilities shall be present. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife (refer to the Cluster Subdivision option of Section 2.00).

## A. PERMITTED D-3 USES

The following uses shall be permitted in the D-3 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-3 DISTRICT shall conform to the D-3 Development Standards (2.05, B) and the Dwelling District Regulations of section 2.00.

## 1. PRIMARY USES:

- a. SINGLE-FAMILY DWELLING, including a Manufactured Home as regulated in section 2.22.
- b. TWO-FAMILY DWELLING, (permitted on corner lots only) as regulated in section 2.05, B, 2, c.
- c. GROUP HOME, as defined in section 2.25.
- d. RELIGIOUS USE, as regulated in section 2.24.

## 2. TEMPORARY USES, as regulated in section 2.18.

## 3. ACCESSORY USES, as regulated in section 2.19.

## 4. HOME OCCUPATIONS, as regulated in section 2.20.

## B. D-3 DEVELOPMENT STANDARDS

- 1. MINIMUM a. Minimum lot area:  
LOT AREA .Single-Family Dwelling: 10,000 sq. ft..  
                  .Two-Family Dwelling: 15,000 sq. ft..

Provided, however:

Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum lot area for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to twenty (20) percent below such 10,000 sq. ft. requirement, provided the average size of all lots within said approved plat shall be at least 10,000 sq. ft..

- b. An additional 5,000 sq. ft. of lot area shall be required for any lot utilizing a septic tank or other individual sewage disposal system.

Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district for lots in any plat of a subdivision recorded after January 1, 1990.

- 2. MINIMUM LOT WIDTH AND STREET FRONTAGE
  - a. Minimum lot width at the required setback line:
    - .Single-family Dwelling: 70 feet
    - .Two-family Dwelling: 105 feet (on each street)

Provided, however:

Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum width for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to ten (10) percent below such 70-and 105-foot requirements.

- b. Minimum street frontage: Each lot shall have at least 35 feet of frontage on a public street and shall gain direct access from said street.
- c. Orientation of two-family dwellings: On corner lots, the orientation (front doors, driveways) of each unit

in a two-family dwelling shall be toward a different street frontage.

3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard:  
Front yards having a minimum depth in accordance with the setback requirements of section 2.21, A, shall be provided along all public street right-of-way lines.
  - b. Minimum rear yard: 20 feet
  - c. Minimum side yard: Aggregate: 16 feet Provided, however, no side yard shall be less than 6 feet.
4. MINIMUM OPEN SPACE  
Minimum open space: 70 percent of the lot area.
5. MAXIMUM HEIGHT
  - a. Primary building: 35 feet
  - b. Accessory buildings: 20 feet
6. MINIMUM MAIN FLOOR AREA  
Minimum main floor area of the primary building, exclusive of garage, carports, and open porches:  
  
One-story building: 1,200 sq. ft. for each dwelling unit.  
  
Building higher than one story: 800 sq. ft. for each dwelling unit in the building, provided the total floor area of each unit shall be at least 1,200 sq. ft..
7. OFF-STREET PARKING AND PUBLIC STREETS  
Off-street parking areas and public streets shall be provided in accordance with section 2.21, E and C.

## SECTION 2.06. D-4 DWELLING DISTRICT FOUR REGULATIONS

## STATEMENT OF PURPOSE

The D-4 District is intended for areas of low or medium intensity single-family residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be rather closely associated with community and neighborhood facilities (schools, parks, shopping areas, etc.). Two-family dwellings are permitted on corner lots in this district. The D-4 District has a typical density of 4.2 units/gross acre. This district represents the low density residential classification of the Comprehensive General Land Use Plan. All public facilities shall be present. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife (refer to the Cluster Subdivision option of Section 2.00).

## A. PERMITTED D-4 USES

The following uses shall be permitted in the D-4 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-4 DISTRICT shall conform to the D-4 Development Standards (section 2.06, B) and the Dwelling District Regulations of section 2.00.

## 1. PRIMARY USES:

- a. SINGLE-FAMILY DWELLING, including a Manufactured Home as regulated in section 2.22.
- b. TWO-FAMILY DWELLING, (permitted on corner lots only) as regulated in section 2.06, B, 2, c.
- c. GROUP HOME, as defined in section 2.25.
- d. RELIGIOUS USE, as regulated in section 2.24.

## 2. TEMPORARY USES, as regulated in section 2.18.

## 3. ACCESSORY USES, as regulated in section 2.19.

## 4. HOME OCCUPATIONS, as regulated in section 2.20.

## B. D-4 DEVELOPMENT STANDARDS

- 1. MINIMUM a. Minimum lot area:
  - LOT AREA \* Single-family Dwelling: 7,200 sq. ft..
  - \* Two-Family Dwelling: 10,000 sq. ft..

Provided, however:

Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum lot area for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to twenty (20) percent below such 7,200 sq. ft. requirement, provided the average size of all lots within said approved plat shall be at least 7,200 sq. ft.

- b. An additional 5,000 sq. ft. of lot area shall be required for any lot utilizing a septic tank or other individual sewage disposal system.

Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district for lots in any plat of a subdivision recorded after January 1, 1990.

2. MINIMUM a. LOT WIDTH  
AND STREET  
FRONTAGE

Minimum lot width at the required setback line:

- \* Single-family Dwelling: 60 feet
- \* Two-family Dwelling: 90 feet (on each street)

Provided, however:

Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of the ordinance, may reduce said minimum width for up to twenty (20) percent of the total number of lots within said plat, to the extent of up to ten (10) percent below such 60- and 90- foot requirements.

- b. Minimum street frontage: Each lot shall have at least 30 feet of frontage on a public street and shall gain direct access from said street.
- c. Orientation of two-family dwellings: On corner lots, the orientation (front doors, driveways) of each unit

in a two-family dwelling on corner lots shall be toward a different street frontage.

3. MINIMUM SETBACK LINES AND
  - a. Minimum setback line and front yard: Front yards having a minimum depth in accordance with the setback requirements of section 2.21, A, shall be provided along all public street YARDS right-of-way lines.
  - b. Minimum rear yard: 20 feet
  - c. Minimum side yard: Aggregate: 13 feet  
Provided, however, no side yard shall be less than 5 feet.
4. MINIMUM OPEN SPACE  
Minimum open space: 65 percent of the lot area.
5. MAXIMUM HEIGHT
  - a. Primary building: 35 feet
  - b. Accessory buildings: 20 feet
6. MINIMUM MAIN FLOOR AREA  
Minimum main floor area of the primary building, exclusive of garage, carports, and open porches:  
  
One-story building: 900 sq. ft. for each dwelling unit.  
  
Building higher than one story: 660 sq. ft. for each dwelling unit in the building, provided the total floor area of each unit shall be at least 900 sq. ft.
7. OFF-STREET PARKING AND PUBLIC STREETS  
Off-street parking areas and public streets shall be provided in accordance with section 2.21, E and C.

SECTION 2.07. D-5 DWELLING DISTRICT FIVE REGULATIONS

STATEMENT OF PURPOSE

The D-5 District is intended for areas of medium intensity singlefamily residential development. The application of this district will be found within urban, built-up areas of the community, and where all urban public and community facilities, and services are available. The district is not intended for suburban use. Due to its strong reliance upon complete urban facilities, D-5 district location should be applied judiciously. Two-family dwellings are permitted on any lot in this district. The D-5 District has a typical density of 4.5 units/ gross acre. This district represents the low and medium density residential classification of the Comprehensive General Land Use Plan. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.

A. PERMITTED D-5 USES

The following uses shall be permitted in the D-5 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-5 DISTRICT shall conform to the D-5 Development Standards (section 2.07, B) and the Dwelling District Regulations of section 2.00.

1. PRIMARY USES:

- a. SINGLE-FAMILY DWELLING, including a Manufactured Home as regulated in section 2.22.
- b. TWO-FAMILY DWELLING.
- c. GROUP HOME, as defined in section 2.25.
- d. RELIGIOUS USE, as regulated in section 2.24.

2. TEMPORARY USES, as regulated in section 2.18.

3. ACCESSORY USES, as regulated in section 2.19.

4. HOME OCCUPATIONS, as regulated in section 2.20.

B. D-5 DEVELOPMENT STANDARDS

- 1. MINIMUM LOT AREA      Minimum lot area:
  - .Single-Family Dwelling: 5,000 sq. ft.
  - .Two-family Dwelling: 9,000 sq. ft.



Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

2. MINIMUM LOT WIDTH AND STREET FRONTAGE
  - a. Minimum lot width at the required setback line:  
.Single-family Dwelling: 50 feet  
.Two-family Dwelling: 90 feet (on each street)
  - b. Minimum street frontage: Each lot shall have at least 25 feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard: Front yards having a minimum depth in accordance with the setback requirements of section 2.21, A, shall be provided along all public street right-of-way lines.
  - b. Minimum rear yard: 20 feet
  - c. Minimum side yard: Aggregate: 10 feet  
Provided, however, no side yard shall be less than 4 feet.
4. MINIMUM OPEN SPACE Minimum open space: 65 percent of the lot area.
5. MAXIMUM HEIGHT
  - a. Primary building: 35 feet
  - b. Accessory buildings: 20 feet
6. MINIMUM MAIN FLOOR AREA Minimum main floor area of the primary building, exclusive of garage, carports, and open porches:  
One-story building: 900 sq. ft. for each dwelling unit.  
  
Building higher than one story: 660 sq. ft. for each dwelling unit in the building, provided the total floor area of each unit shall be at least 900 sq. ft.
7. OFF-STREET AND PUBLIC STREETS Off-street parking areas and public streets shall be provided in accordance with section 2.21, E and C.

## SECTION 2.08. D-5II DWELLING DISTRICT FIVE-TWO REGULATIONS

### STATEMENT OF PURPOSE

The D-5II District provides the smallest single-family lot size in the zoning ordinance. It is intended for carrying out both the low density and medium density residential classification expressed in the Comprehensive General Land Use Plan. The district is designed to be used with the zero lot line option of this ordinance. The district's application may be found within built-up areas of the community where redevelopment is occurring or where infill development is necessary. The district is also intended for suburban use. The district must be applied judiciously in suburban areas, however, due to the unique characteristics of this district. Two-family dwellings are permitted on any lot in this district. The D-5II district has a typical density of 5 units/gross acre. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.

### A. PERMITTED D-5II USES

The following uses shall be permitted in the D-5II DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-5II DISTRICT shall conform to the D-5II Development Standards (section 2.08, B) and the Dwelling District Regulations of section 2.00.

#### 1. PRIMARY USES:

- a. SINGLE-FAMILY DWELLING, including a Manufactured Home as regulated in section 2.22.
- b. TWO-FAMILY DWELLING.
- c. GROUP HOME, as defined in section 2.25.
- d. RELIGIOUS USE, as regulated in section 2.24.

#### 2. TEMPORARY USES, as regulated in section 2.18.

#### 3. ACCESSORY USES, as regulated in section 2.19.

#### 4. HOME OCCUPATIONS, as regulated in section 2.20.

### B. D-5II DEVELOPMENT STANDARDS

1. MINIMUM Minimum lot area:  
LOT AREA .Single-Family Dwelling: 3,200 sq. ft.

.Two-family Dwelling: 7,600 sq. ft.

Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

2. MINIMUM LOT WIDTH AND STREET FRONTAGE
  - a. Minimum lot width at the required setback line:  
.Single-family Dwelling: 40 feet  
.Two-family Dwelling: 80 feet (on each street)
  - b. Minimum street frontage: Each lot shall have at least 25 feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard:  
Front yards having a minimum depth in accordance with the setback requirements of section 2.21, A, shall be provided along all public street right-of-way lines.
  - b. Minimum rear yard: 10 feet
  - c. Minimum side yard: Aggregate: 10 feet  
Provided, however, no side yard shall be less than 3 feet.
4. MINIMUM OPEN SPACE  
Minimum open space: 65 percent of the lot area.
5. MAXIMUM HEIGHT
  - a. Primary building: 35 feet
  - b. Accessory buildings: 20 feet
6. MINIMUM MAIN FLOOR AREA  
Minimum main floor area of the primary building, exclusive of garage, carports, and open porches:  
.One-story building: 900 sq. ft. for each dwelling unit.  
  
.Building higher than one story: 660 sq. ft. for each dwelling unit in the building, provided the total floor area of each unit shall be at least 900 sq. ft.

7. OFF-STREET PUBLIC STREETS Off-street parking areas and public streets shall be provided in accordance with section 2.21, E and C.

SECTION 2.09. D-6 DWELLING DISTRICT SIX REGULATIONS

STATEMENT OF PURPOSE

The D-6 District is principally intended for medium intensity multifamily dwellings. The district is intended for developments in suburban areas well served by major thoroughfares, sanitary sewers, and school and park facilities. In its application, the district need not be directly associated with more intense land uses such as commercial or industrial areas. The D-6 District has a typical density of 6-9 units/gross acre. This district represents the medium density residential classification of the Comprehensive General Land Use Plan. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.

A. PERMITTED D-6 USES

The following uses shall be permitted in the D-6 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-6 DISTRICT shall conform to the D-6 Development Standards (Section 2.09, B) and the Dwelling District Regulations of Section 2.00.

1. PRIMARY USES:

- a. ATTACHED MULTIFAMILY DWELLINGS.
- b. GROUP HOME, as defined in Section 2.25.
- c. RELIGIOUS USE, as regulated in Section 2.24.

2. TEMPORARY USES, as regulated in Section 2.18.

3. ACCESSORY USES, as regulated in Section 2.19.

4. HOME OCCUPATIONS, as regulated in Section 2.20.

B. D-6 DEVELOPMENT STANDARDS

- 1. MINIMUM PROJECT AREA      There shall be no required minimum project area other than the land area necessary to provide for the development requirements of paragraphs 2, 3 and 5 of this subsection B.

Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

2. MINIMUM PROJECT FRONTAGE Each project shall have at least 150 feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard: Front yards, having a minimum depth in accordance with the setback requirements Section 2.21 A, shall be provided wherever the project abuts a public street right-of-way line.
  - b. Minimum required perimeter side and rear yards: Minimum required perimeter yards of at least 30 feet in depth shall be provided wherever the project or lot abuts adjoining perimeter property.
  - c. Minimum yards between buildings: In projects containing two or more buildings, minimum yards (in addition to the requirements of a. and b. above) shall be provided between all buildings, in accordance with the following standards:
    - (1) For buildings containing three or four units, the required minimum depth of such yards shall be five (5) feet for each building.
    - (2) For buildings containing more than four units, the required minimum depth of such yards for each building shall be determined in relation to the height and length of each such building wall and the placement of windows therein, as follows:
      - i. Wall Containing Any Window, Door, or Combination Thereof:

The minimum depth of a building's yard shall be ten (10) feet, plus two (2) feet for each story in height plus one (1) foot for each fifteen (15) feet in length of such wall.
      - ii. Wall Not Containing Any Window, Door, or Combination Thereof:

The minimum depth of a building's yard shall be five (5) feet, plus one (1) foot for each story in height, plus one (1) foot for each fifteen (15) feet in length of such wall.

- (3) The distance between buildings shall in no case be less than the sum of the required minimum depths of such adjoining yards.
- (4) The minimum depth of yards, for purposes of these standards, shall be measured perpendicular to the building wall at all points.
- (5) Walls forming interior courts with a minimum width of ten (10) feet and serving only one building shall be exempt from the provisions of this paragraph c.

d. Use of required perimeter yards and yards between buildings: All yards shall meet the requirements of Section 2.21, F. Said perimeter yards and yards between buildings shall only be used for open space with the exception of the following:

- (1) Driveways, and,
- (2) Interior access drives, open balconies, uncovered porches, patios, or structures which qualify as covered open space (as defined in Section 2.25) may project or be located no more than ten (10) feet into said yard, provided however, in no case, shall the permitted facilities be located closer than ten (10) feet to another structure.
- (3) Parking areas may be located in the yards between buildings, provided no parking area shall be closer than ten (10) feet to any building.

- 4. MAXIMUM HEIGHT
  - a. Primary buildings: 35 feet but not to exceed 3 stories containing a dwelling unit or units.
  - b. Accessory buildings: 25 feet.

5. DEVELOPMENT AMENITIES Floor area, open space, livability space, recreation space and parking spaces shall be provided for each project in accordance with the following required ratios (all as defined in Section 2.25):

- a. Maximum Floor Area:  
floor area ratio (FAR) 0.200
- b. Minimum Open Space:  
open space ratio (OSR) 3.850
- c. Minimum Livability Space:  
livability space ratio (LSR) 2.600
- d. Minimum Major Livability Space:  
major livability space ratio (MLSR) 0.180
- e. Minimum Parking Spaces:  
total car ratio (TCR) 1.600

In addition: site and development plans, landscape plans, trash enclosures, public streets, interior access drives, driveways and off-street parking areas shall be provided in accordance with Section 2.21 Special Regulations.



SECTION 2.10 D-6II DWELLING DISTRICT SIX-TWO REGULATIONS

STATEMENT OF PURPOSE

The D-6II District is intended principally for low intensity multifamily use as a transition between areas of high intensity uses and low intensity uses, or in areas where the dimensions of the tract of land would cause high development costs that would preclude low intensity development. Typical areas subject to D-6II zoning include remnant parcels of land resulting from public works improvements, exhausted mining operations, and changed intensity factors (such as between Interstate highway locations, commercial development and lower- density residential areas). The district must be in close proximity to major thoroughfares, sewers, school and park facilities. The D-6II District has a typical density of 9-12 units/gross acre. This district represents the medium density residential classification of the Comprehensive General Land Use Plan. Development plans should incorporate and promote environmental aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage, and wildlife

A. PERMITTED D-6II USES

The following uses shall be permitted in the D-6II DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-6II DISTRICT shall conform to the D-6II Development Standards (Section 2.10, B) and the Dwelling District Regulations of Section 2.00.

1. PRIMARY USES:
  - a. ATTACHED MULTIFAMILY DWELLINGS.
  - b. GROUP HOME, as defined in Section 2.25.
  - c. RELIGIOUS USE, as regulated in Section 2.24.
2. TEMPORARY USES, as regulated in Section 2.18.
3. ACCESSORY USES, as regulated in Section 2.19.
4. HOME OCCUPATIONS, as regulated in Section 2.20.

B. D-6II DEVELOPMENT STANDARDS

1. MINIMUM PROJECT AREA      There shall be no required minimum project area other than the land area necessary to provide for the development requirements of paragraphs 2, 3 and 5 of this subsection B.

Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

2. MINIMUM PROJECT FRONTAGE Each project shall have at least 150 feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard:  
Front yards, having a minimum depth in accordance with the setback requirements of Section 2.21, A, shall be provided wherever the project abuts a public street right-of-way line.
  - b. Minimum required perimeter side and rear yards:  
Minimum required perimeter yards of at least 25 feet in depth shall be provided wherever the project or lot abuts adjoining perimeter property.
  - c. Minimum yards between buildings: In projects containing two or more buildings, minimum yards (in addition to the requirements of a. and b. above) shall be provided between all buildings, in accordance with the following standards:
    - (1) For buildings containing three or four units, the required minimum depth of such yards shall be five (5) feet for each building.
    - (2) For buildings containing more than four units, the required minimum depth of such yards for each building shall be determined in relation to the height and length of each such building wall and the placement of windows therein, as follows:
      - i. Wall Containing Any Window, Door, or Combination Thereof:  
  
The minimum depth of a building's yard shall be ten (10) feet, plus two (2) feet for each story in height plus one (1) foot for each fifteen (15) feet in length of such wall.
      - ii. Wall Not Containing Any Window, Door, or Combination Thereof:

The minimum depth of a building's yard shall be five (5) feet, plus one (1) foot for each story in height, plus one (1) foot for each fifteen (15) feet in length of such wall.

- (3) The distance between buildings shall in no case be less than the sum of the required minimum depths of such adjoining yards.
  - (4) The minimum depth of yards, for purposes of these standards, shall be measured perpendicular to the building wall at all points.
  - (5) Walls forming interior courts with a minimum width of ten (10) feet and serving only one building shall be exempt from the provisions of this paragraph c.
- d. Use of required perimeter yards and yards between buildings: All yards shall meet the requirements of Section 2.21, F. Said perimeter yards and yards between buildings shall only be used for open space with the exception of the following:
- (1) Driveways, and,
  - (2) Interior access drives, open balconies, uncovered porches, patios, or structures which qualify as covered open space (as defined in Section 2.25) may project or be located no more than ten (10) feet into said yard, provided however, in no case, shall the permitted facilities be located closer than ten (10) feet to another structure.
  - (3) Parking areas may be located in the yards between buildings, provided no parking area shall be closer than eight (8) feet to any building.
4. MAXIMUM HEIGHT
- a. Primary buildings: 35 feet but not to exceed 3 stories containing a dwelling unit or units.
  - b. Accessory buildings: 25 feet

5. DEVELOP- Floor area, open space, livability space,  
MENT recreation space and parking spaces shall be provided for  
AMENITIES each project in accordance with the following required  
ratios (all as defined in Section 2.25):
- a. Maximum Floor Area:  
floor area ratio (FAR) 0.280
  - b. Minimum Open Space:  
open space ratio (OSR) 2.650
  - c. Minimum Livability Space:  
livability space ratio (LSR) 1.650
  - d. Minimum Major Livability Space:  
major livability space ratio  
(MLSR) 0.160
  - e. Minimum Parking Spaces:  
total car ratio (TCR) 1.500

In addition: site and development plans, landscape plans, trash enclosures, public streets, interior access drives, driveways and off-street parking areas shall be provided in accordance with Section 2.21 Special Regulations.

SECTION 2.11 D-7 DWELLING DISTRICT SEVEN REGULATIONS

STATEMENT OF PURPOSE

The D-7 District is intended principally for medium density multifamily use. The district may be applied anywhere within the metropolitan area, provided, however, it should be closely associated with the primary intensity generators; i.e., commercial shopping centers or industrial uses. The district requires superior street access and all public facilities. The D-7 District has a typical density of 12-15 units/ gross acre. This district represents the medium density residential classification of the Comprehensive General Land Use Plan. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.

A. PERMITTED D-7 USES

The following uses shall be permitted in the D-7 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-7 DISTRICT shall conform to the D-7 Development Standards (Section 2.11, B) and the Dwelling District Regulations of Section 2.00.

1. PRIMARY USES:

- a. ATTACHED MULTIFAMILY DWELLINGS.
- b. GROUP HOME, as defined in Section 2.25.
- c. RELIGIOUS USE, as regulated in Section 2.24.

2. TEMPORARY USES, as regulated in Section 2.18.

3. ACCESSORY USES, as regulated in Section 2.19.

4. HOME OCCUPATIONS, as regulated in Section 2.20.

B. D-7 DEVELOPMENT STANDARDS

- 1. MINIMUM PROJECT AREA      There shall be no required minimum project area other than the land area necessary to provide for the development requirements of paragraphs 2, 3 and 5 of this subsection B.

Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

2. MINIMUM PROJECT FRONTAGE Each project shall have at least 150 feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard: Front yards, having a minimum depth in accordance with the setback requirements of Section 2.21, A, shall be provided wherever the project abuts a public street right-of-way line.
  - b. Minimum required perimeter side and rear yards: Minimum required perimeter yards of at least 20 feet in depth shall be provided wherever the project or lot abuts adjoining perimeter property.
  - c. Minimum yards between buildings: In projects containing two or more buildings, minimum yards (in addition to the requirements of a. and b. above) shall be provided between all buildings, in accordance with the following standards:
    - (1) For buildings containing three or four units, the required minimum depth of such yards shall be five (5) feet for each building.
    - (2) For buildings containing more than four units, the required minimum depth of such yards for each building shall be determined in relation to the height and length of each such building wall and the placement of windows therein, as follows:
      - i. Wall Containing Any Window, Door, or Combination Thereof:

The minimum depth of a building's yard shall be ten (10) feet, plus two (2) feet for each story in height plus one (1) foot for each fifteen (15) feet in length of such wall.
      - ii. Wall Not Containing Any Window, Door, or Combination Thereof:

The minimum depth of a building's yard shall be five (5) feet, plus one (1) foot for each story in height plus one (1) foot for each fifteen (15) feet in length of such wall.

- (3) The distance between buildings shall in no case be less than the sum of the required minimum depths of such adjoining yards.
  - (4) The minimum depth of yards, for purposes of these standards, shall be measured perpendicular to the building wall at all points.
  - (5) Walls forming interior courts with a minimum width of ten (10) feet and serving only one building shall be exempt from the provisions of this paragraph c.
- d. Use of required perimeter yards and yards between buildings: All yards shall meet the requirements of Section 2.21, F. Said perimeter yards and yards between buildings shall only be used for open space with the exception of the following:
- (1) Driveways, and,
  - (2) Interior access drives, open balconies, uncovered porches, patios, or structures which qualify as covered open space (as defined in Section 2.25) may project or be located no more than five (5) feet into said yard, provided however, in no case, shall the permitted facilities be located closer than ten (10) feet to another structure.
  - (3) Parking areas may be located in the yards between buildings, provided no parking area shall be closer than six (6) feet to any building.

4. MAXIMUM HEIGHT
- a. Primary buildings: 35 feet but not to exceed 3 stories containing a dwelling unit or units.
  - b. Accessory buildings: 25 feet

5. DEVELOPMENT AMENITIES Floor area, open space, livability space, recreation space and parking spaces shall be provided for each project in accordance with the following required ratios (all as defined in Section 2.25):
- a. Maximum Floor Area:  
floor area ratio (FAR) 0.350
  - b. Minimum Open Space:  
open space ratio (OSR) 2.100
  - c. Minimum Livability Space:  
livability space ratio (LSR) 1.250
  - d. Minimum Major Livability Space:  
major livability space ratio (MLSR) 0.140
  - e. Minimum Parking Spaces:  
total car ratio (TCR) 1.400

In addition: site and development plans, landscape plans, trash enclosures, public streets, interior access drives, driveways and off-street parking areas shall be provided in accordance with Section 2.21 Special Regulations.



SECTION 2.12 D-8 DWELLING DISTRICT EIGHT REGULATIONS

STATEMENT OF PURPOSE

The D-8 District is a unique district designed for application in older developed urban areas. The district allows as permitted uses all forms of residential development except mobile dwellings. The district is designed to provide for the wide range and mixture of housing types found in older, inner-city neighborhoods, as well as along older residential/commercial thoroughfares. Another important application of this district is in areas that are experiencing renewal either by public action or by natural process. The district requires all the amenities of the D-7 District. The D-8 District has a typical density range of 5-26 units/gross acre depending upon the type of development. This district represents the high density residential classification of the Comprehensive General Land Use Plan. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing conditions, including vegetation, topography, drainage and wildlife.

A. PERMITTED D-8 USES

The following uses shall be permitted in the D-8 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-8 DISTRICT shall conform to the D-8 Development Standards (Section 2.12, B and C) and the Dwelling District Regulations of Section 2.00.

1. PRIMARY USES:

- a. URBAN DWELLING OR DWELLINGS, including one of the following: single-family, two-family, and attached multifamily dwellings, including a Manufactured Home as regulated in Section 2.22.
- b. GROUP HOME, as defined in Section 2.25.
- c. RELIGIOUS USE, as regulated in Section 2.24.

2. TEMPORARY USES, as regulated in Section 2.18.

3. ACCESSORY USES, as regulated in Section 2.19.

4. HOME OCCUPATIONS, as regulated in Section 2.20.

B. D-8 DEVELOPMENT STANDARDS - SINGLE AND TWO-FAMILY

- 1. MINIMUM LOT AREA There shall be no required lot area other than the land area necessary to provide for the development requirements of paragraphs 2, 3, and 5 of this sub-section B.

Provided, however: Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

2. MINIMUM LOT WIDTH AND FRONTAGE
  - a. Minimum lot width at the required setback line: 30 feet.
  - b. Minimum lot street frontage: Each lot shall have at least thirty (30) feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback lines and front yard: Front yards having a minimum depth in accordance with the setback requirements of Section 2.21, A, shall be provided along all public street right-of-way lines.
  - b. Minimum rear yard: Fifteen (15) feet.
  - c. Minimum side yards:
 

Aggregate: ten (10) feet. No side yard, however, shall be less than four (4) feet.
4. MINIMUM OPEN SPACE
 

Minimum open space: Sixty-five (65) percent of the lot area.
5. MAXIMUM HEIGHT
  - a. Primary building: Thirty-five (35) feet.
  - b. Accessory buildings: Twenty (20) feet.
6. MINIMUM MAIN FLOOR AREA
 

Minimum main floor area of the primary building exclusive of garage, carports, and open porches:

.One-story building: Nine hundred (900) sq. ft. for each dwelling unit.

.Building higher than one story: Six hundred and sixty (660) sq. ft. for each dwelling unit in the building, provided the total floor area of each unit shall be at least nine hundred (900) sq. ft.

7. OFF-STREET PARKING AND PUBLIC STREETS Off-street parking areas and public streets shall be provided in accordance with section 2.21, C. and E.

C. DEVELOPMENT STANDARDS - MULTIFAMILY PROJECT

1. MINIMUM PROJECT AREA There shall be no required project area other than the land area necessary to provide for the development requirements of paragraphs 2, 3 and 5 of this subsection C.

Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

2. MINIMUM PROJECT WIDTH AND FRONTAGE
- a. Minimum project width at the required setback line: Thirty (30) feet.
  - b. Minimum project street frontage: Each project shall have at least thirty (30) feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
- a. Minimum setback lines and front yard: Front yards having a minimum depth in accordance with the setback requirements of Section 2.21, A, shall be provided along all public street right-of-way lines.
  - b. Minimum rear yard: Fifteen (15) feet
  - c. Minimum side yards:

At least twenty (20) percent of the project width measured at the front setback line shall be devoted to aggregate side perimeter yards, except not more than fifteen (15) feet for any one side perimeter yard need be so devoted. The least dimension of a side perimeter yard shall not be less than four (4) feet.

- d. Minimum yards between buildings: In projects containing two or more buildings, minimum yards for each building (in addition to the other requirements

of this paragraph 3) shall be provided between all buildings, in accordance with the following standards:

- (1) For buildings containing three (3) or four (4) dwelling units, the required minimum depth of such yards for each building shall be five (5) feet for each building.
  - (2) For buildings containing more than four (4) dwelling units, the required minimum depth of such yards for each building shall be determined in relation to the height and length of each such building wall and the placement of windows therein, as follows:
    - i. Wall Containing Any Window, Door, or Combination Thereof:

The minimum depth of a building's yard shall be ten (10) feet, plus two (2) feet for each story in height plus one (1) foot for each fifteen (15) feet in length of such wall.
    - ii. Wall Not Containing Any Window, Door, or Combination Thereof:

The minimum depth of a building's yard shall be five (5) feet, plus one (1) foot for each story in height, plus one (1) foot for each fifteen (15) feet in length of such wall.
  - (3) The distance between buildings shall in no case be less than the sum of the required minimum depths of such adjoining yards.
  - (4) The minimum depth of yards, for purposes of these standards, shall be measured perpendicular to the building wall at all points.
  - (5) Walls forming interior courts with a minimum width of ten (10) feet and serving only one building shall be exempt from the provisions of this paragraph d.
- e. Use of required perimeter yards and yards between buildings: All yards shall meet the requirements of

Section 2.21, F. Said perimeter yards and yards between buildings shall only be used for open space with the exception of the following:

- (1) Driveways, and,
  - (2) Interior access drives, open balconies, uncovered porches, patios, or structures which qualify as covered open space (as defined in Section 2.25) may project or be located no more than five (5) feet into said yard, provided however, in no case, shall the permitted facilities be located closer than ten (10) feet to another structure.
  - (3) Parking areas may be located in the yards between buildings, provided no parking area shall be closer than four (4) feet to any building.
4. MAXIMUM HEIGHT
    - a. Primary buildings: 35 feet
    - b. Accessory buildings: 20 feet
  5. DEVELOPMENT AMENITIES
    - Floor area, open space, livability space, recreation space and parking spaces shall be provided for each project in accordance with the following required ratios (all as defined in Section 2.25):
      - a. Maximum Floor Area:  
floor area ratio (FAR) 0.600
      - b. Minimum Open Space:  
open space ratio (OSR) 1.180
      - c. Minimum Livability Space:  
livability space ratio (LSR) 0.660
      - d. Minimum Major Livability Space:  
major livability space ratio (MLSR) 0.110
      - e. Minimum Parking Spaces:  
total car ratio (TCR) 1.000

In addition: site and development plans, landscape plans, trash enclosures, public streets, interior access drives, driveways and off-street parking areas shall be provided in accordance with Section 2.21 Special Regulations.

## SECTION 2.13 D-9 DWELLING DISTRICT NINE REGULATIONS

## STATEMENT OF PURPOSE

The D-9 District is designed to permit suburban high-rise apartments. It is intended for use adjacent to the major shopping centers or in areas where unusual conditions exist (i.e., adjacent to a freeway interchange or in unusual topographic situations). The D-9 District has typical ranges of density according to the number of stories:

- 12-22 dwelling units/gross acre for 1-3 story structure(s).
- 27-35 dwelling units/gross acre for 4-5 story structure(s).
- 50-65 dwelling units/gross acre for 6-11 story structure(s).
- 90-120 dwelling units/gross acre for structure(s) of 12 stories and above.

Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.

## A. PERMITTED D-9 USES

The following uses shall be permitted in the D-9 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-9 DISTRICT shall conform to the D-9 Development Standards (Section 2.13, B) and the Dwelling District Regulations of Section 2.00.

1. PRIMARY USES:
  - a. ATTACHED MULTIFAMILY DWELLINGS.
  - b. GROUP HOME, as defined in Section 2.25.
  - c. RELIGIOUS USE, as regulated in Section 2.24.
2. TEMPORARY USES, as regulated in Section 2.18.
3. ACCESSORY USES, as regulated in Section 2.19.
4. HOME OCCUPATIONS, as regulated in Section 2.20.

## B. D-9 DEVELOPMENT STANDARDS

1. MINIMUM PROJECT AREA      There shall be no required minimum project area other than the land area necessary to provide for the development requirements of paragraphs 2, 3 and 5 of this subsection B.

Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

2. MINIMUM PROJECT FRONTAGE Each project shall have at least 150 feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard: Front yards, having a minimum depth in accordance with the setback requirements of Section 2.21, A, shall be provided wherever the project abuts a public street right-of-way line.
  - b. Minimum required perimeter side and rear yards: Minimum required perimeter yards of at least 20 feet in depth shall be provided wherever the project or lot abuts adjoining perimeter property.
  - c. Minimum yards between buildings: In projects containing two or more buildings, minimum yards (in addition to the requirements of a. and b. above) shall be provided between all buildings, in accordance with the following standards:
    - (1) For buildings containing three or four units, the required minimum depth of such yards shall be five (5) feet for each building.
    - (2) For buildings containing more than four units, the required minimum depth of such yards for each building shall be determined in relation to the height and length of each such building wall and the placement of windows therein, as follows:
      - i. Wall Containing Any Window, Door, or Combination Thereof:

The minimum depth of a building's yard shall be ten (10) feet, plus two (2) feet for each story in height plus one (1) foot for each fifteen (15) feet in length of such wall.

- ii. Wall Not Containing Any Window, Door, or Combination Thereof:

The minimum depth for a building's yard shall be five (5) feet, plus one (1) foot for each story in height plus one (1) foot for each fifteen (15) feet in length of such wall.

- (3) The distance between buildings shall in no case be less than the sum of the required minimum depths of such adjoining yards.
  - (4) The minimum depth of yards, for purposes of these standards, shall be measured perpendicular to the building wall at all points.
  - (5) Walls forming interior courts with a minimum width of ten (10) feet and serving only one building shall be exempt from the provisions of this paragraph c.
- d. Use of required perimeter yards and yards between buildings: All yards shall meet the requirements of Section 2.21, F. Said perimeter yards and yards between buildings shall only be used for open space with the exception of the following:
    - (1) Driveways, and,
    - (2) Interior access drives, open balconies, uncovered porches, patios, or structures which qualify as covered open space (as defined in Section 2.25) may project or be located no more than five (5) feet into said yard, provided however, in no case, shall the permitted facilities be located closer than ten (10) feet to another structure.
    - (3) Parking areas may be located in the yards between buildings, provided no parking area shall be closer than four (4) feet to any building.

- 4. MAXIMUM HEIGHT
  - a. Primary buildings: Unlimited
  - b. Accessory buildings: 25 feet



5. DEVELOP- Floor area, open space, livability space,  
MENT recreation space and parking spaces shall be provided for  
AMENITIES each project in accordance with the following required  
ratios (all as defined in Section 2.25):
- a. Multifamily Dwellings: Less than 4 stories.
    - (1) Maximum Floor Area:  
floor area ratio (FAR) 0.500
    - (2) Minimum Open Space:  
open space ratio (OSR) 1.450
    - (3) Minimum Livability Space:  
livability space ratio (LSR) 0.840
    - (4) Minimum Major Livability Space:  
major livability space ratio  
(MLSR) 0.120
    - (5) Minimum Parking Spaces:  
total car ratio (TCR) 1.200
  - b. Multifamily Dwellings: 4 to 5 stories.
    - (1) Maximum Floor Area:  
floor area ratio (FAR) 0.800
    - (2) Minimum Open Space:  
open space ratio (OSR) 0.870
    - (3) Minimum Livability Space:  
livability space ratio (LSR) 0.490
    - (4) Minimum Major Livability Space:  
major livability space ratio (MLSR) 0.095
    - (5) Minimum Parking Spaces:  
total car ratio (TCR) 1.000
  - c. Multifamily Dwellings: 6 to 11 stories.
    - (1) Maximum Floor Area:  
floor area ratio (FAR) 1.500
    - (2) Minimum Open Space:  
open space ratio (OSR) 0.450

- (3) Minimum Livability Space:  
livability space ratio (LSR) 0.290
  - (4) Minimum Major Livability Space:  
major livability space ratio (MLSR) 0.071
  - (5) Minimum Parking Spaces:  
total car ratio (TCR) 1.000
- d. Multifamily Dwellings: 12 stories or higher.
- (1) Maximum Floor Area:  
floor area ratio (FAR) 2.700
  - (2) Minimum Open Space:  
open space ratio (OSR) 0.290
  - (3) Minimum Livability Space:  
livability space ratio (LSR) 0.200
  - (4) Minimum Major Livability Space:  
major livability space ratio (MLSR) 0.054
  - (5) Minimum Parking Spaces:  
total car ratio (TCR) 1.000  
In addition: site and development plans, landscape plans, trash enclosures, public streets, interior access drives, driveways and off-street parking areas shall be provided in accordance with Section 2.21 Special Regulations.

SECTION 2.14 D-10 DWELLING DISTRICT TEN REGULATIONS

STATEMENT OF PURPOSE

The D-10 District, like the D-9 District, represents the high density classification of the Comprehensive General Land Use Plan. Unlike the D-9 District, however, the D-10 District is intended for central and inner-city use as opposed to suburban use. The D-10 District requires all public and community facilities, but its use will not be so directly associated with planned shopping centers. In many cases, the D-10 District will represent a renewal of the land rather than the initial use. The D-10 District has typical densities according to the number of stories:

- 20-26 dwelling units/gross acre for 1-3 story structure(s).
- 27-35 dwelling units/gross acre for 4-5 story structure(s).
- 50-65 dwelling units/gross acre for 6-11 story structure(s).
- 100-130 dwelling units/gross acre for 12-23 story structure(s).
- 110-140 dwelling units/gross acre for structure(s) above 24 stories.

A. PERMITTED D-10 USES

The following uses shall be permitted in the D-10 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-10 DISTRICT shall conform to the D-10 Development Standards (Section 2.14, B) and the Dwelling District Regulations of Section 2.00.

1. PRIMARY USES:
  - a. ATTACHED MULTIFAMILY DWELLINGS.
  - b. GROUP HOME, as regulated ~~defined~~ in Section 2.235.
  - c. RELIGIOUS USE, as regulated in Section 2.24.
2. TEMPORARY USES, as regulated in Section 2.18.
3. ACCESSORY USES, as regulated in Section 2.19.
4. HOME OCCUPATIONS, as regulated in Section 2.20.

B. D-10 DEVELOPMENT STANDARDS

1. MINIMUM PROJECT AREA      There shall be no required minimum project area other than the land area necessary to provide for the development requirements of paragraphs 2, 3 and 5 of this subsection B.

Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

2. MINIMUM PROJECT FRONTAGE Each project shall have at least 100 feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard: Front yards, having a minimum depth in accordance with the setback requirements of Section 2.21, A, shall be provided wherever the project abuts a public street right-of-way line.
  - b. Minimum required perimeter side and rear yards: Minimum required perimeter yards of at least 20 feet in depth shall be provided wherever the project or lot abuts adjoining perimeter property.
  - c. Minimum yards between buildings: In projects containing two or more buildings, minimum yards (in addition to the requirements of a. and b. above) shall be provided between all buildings, in accordance with the following standards:
    - (1) For buildings containing three or four units, the required minimum depth of such yards shall be five (5) feet for each building.
    - (2) For buildings containing more than four units, the required minimum depth of such yards for each building shall be determined in relation to the height and length of each such building wall and the placement of windows therein, as follows:
      - i. Wall Containing Any Window, Door, or Combination Thereof:

The minimum depth of a building's yard shall be ten (10) feet, plus two (2) feet for each story in height plus one (1) foot for each fifteen (15) feet in length of such wall.

- ii. Wall Not Containing Any Window, Door, or Combination Thereof:

The minimum depth for a building's yard shall be five (5) feet, plus one (1) foot for each story in height plus one (1) foot for each fifteen (15) feet in length of such wall.

- (3) The distance between buildings shall in no case be less than the sum of the required minimum depths of such adjoining yards.
- (4) The minimum depth of yards, for purposes of these standards, shall be measured perpendicular to the building wall at all points.
- (5) Walls forming interior courts with a minimum width of ten (10) feet and serving only one building shall be exempt from the provisions of this paragraph c.

- d. Use of required perimeter yards and yards between buildings: All yards shall meet the requirements of Section 2.21, F. Said perimeter yards and yards between buildings shall only be used for open space with the exception of the following:

- (1) Driveways, and,
- (2) Interior access drives, open balconies, uncovered porches, patios, or structures which qualify as covered open space (as defined in Section 2.25) may project or be located no more than five (5) feet into said yard, provided however, in no case, shall the permitted facilities be located closer than ten (10) feet to another structure.
- (3) Parking areas may be located in the yards between buildings, provided no parking area shall be closer than four (4) feet to any building.

4. MAXIMUM HEIGHT
- a. Primary buildings: Unlimited
  - b. Accessory buildings: 25 feet

5. DEVELOP- Floor area, open space, livability space,  
MENT recreation space and parking spaces shall be provided for  
AMENITIES each project in accordance with the following required  
ratios (all as defined in Section 2.25):

a. Multifamily Dwellings: Less than 4 stories.

- (1) Maximum Floor Area:  
floor area ratio (FAR) 0.600
- (2) Minimum Open Space:  
open space ratio (OSR) 1.180
- (3) Minimum Livability Space:  
livability space ratio (LSR) 0.660
- (4) Minimum Major Livability Space:  
major livability space ratio  
(MLSR) 0.110
- (5) Minimum Parking Spaces:  
total car ratio (TCR) 1.000

b. Multifamily Dwellings: 4 to 5 stories.

- (1) Maximum Floor Area:  
floor area ratio (FAR) 0.800
- (2) Minimum Open Space:  
open space ratio (OSR) 0.870
- (3) Minimum Livability Space:  
livability space ratio (LSR) 0.490
- (4) Minimum Major Livability Space:  
major livability space ratio  
(MLSR) 0.095
- (5) Minimum Parking Spaces:  
total car ratio (TCR) 0.940

c. Multifamily Dwellings: 6 to 11 stories.

- (1) Maximum Floor Area:  
floor area ratio (FAR) 1.500
- (2) Minimum Open Space:  
open space ratio (OSR) 0.450

(3) Minimum Livability Space:  
livability space ratio (LSR)0.290

(4) Minimum Major Livability Space:  
major livability space ratio  
(MLSR) 0.071

(5) Minimum Parking Spaces:  
total car ratio (TCR)0.750

d. Multifamily Dwellings: 12 to 23 stories.

(1) Maximum Floor Area:  
floor area ratio (FAR)3.000

(2) Minimum Open Space:  
open space ratio (OSR)0.280

(3) Minimum Livability Space:  
livability space ratio (LSR)0.190

(4) Minimum Major Livability Space:  
major livability space ratio  
(MLSR) 0.052

(5) Minimum Parking Spaces:  
total car ratio (TCR)0.750

e. Multifamily Dwellings: 24 stories or higher.

(1) Maximum Floor Area:  
floor area ratio (FAR)3.200

(2) Minimum Open Space:  
open space ratio (OSR)0.270

(3) Minimum Livability Space:  
livability space ratio (LSR)0.190

(4) Minimum Major Livability Space:  
major livability space ratio  
(MLSR) 0.050

(5) Minimum Parking Spaces:  
total car ratio (TCR)0.750

In addition: site and development plans, landscape plans, trash enclosures, public streets, interior access drives, driveways and off-street parking areas

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shall be provided in accordance with Section 2.21  
Special Regulations.



SECTION 2.15. D-11 DWELLING DISTRICT ELEVEN REGULATIONS

STATEMENT OF PURPOSE

The D-11 District allows for mobile dwelling project development. The special characteristics of mobile dwellings, as opposed to the characteristics of conventional housing (such as compactness of the mobile dwelling unit, site accommodation requirements, etc.), have been recognized as requiring special district considerations. The D-11 District is designed to permit mobile and manufactured dwellings in accordance with appropriate standards. This district represents a medium density classification according to the Comprehensive General Land Use Plan and should be applied accordingly. The typical density for a D-11 District is 6 units/gross acre. With the development standards included in this district, mobile dwelling projects are viable residential developments, and should be located with the same considerations as site-built residential neighborhoods. All public and community facilities are required. Proximity to major thoroughfares are necessary for the location of this district.

A. PERMITTED D-11 USES

The following uses shall be permitted in the D-11 DISTRICT. All uses in the D-11 DISTRICT shall conform to the D-11 Development Standards (Section 2.15, B) and the Dwelling District Regulations of Section 2.00.

1. MOBILE DWELLING PROJECTS, including Mobile Dwellings and Manufactured Homes, subject to all development standards of Section 2.15, B.

Each permitted mobile dwelling within a mobile dwelling project shall be limited to single-family use and occupancy.

2. GROUP HOMES, as defined in Section 2.25.
3. RELIGIOUS USE, as regulated in Section 2.24.
4. TEMPORARY USES, as regulated in Section 2.18.
5. ACCESSORY USES, as enumerated below:
  - a. MANAGER'S OFFICE AND APARTMENT: PROJECT MAINTENANCE EQUIPMENT STORAGE FACILITY.
  - b. COMMON RECREATION AND SERVICE BUILDINGS, STRUCTURES AND AREAS, including laundry facilities.
  - c. OPEN STORAGE AREA.
  - d. ACCESSORY PARKING AREAS.

- e. CARPORTS, CANOPIES, COVERED PATIOS, STORAGE ROOMS, MINI-BARNs, PORCHES, AWNINGS, SWINGS and other play structures or equipment, provided the height thereof shall not exceed ten (10) feet measured from the finished mobile dwelling site grade, and that floors of carports, patios, storage rooms and porches shall be of concrete or other permanent pavement.
- f. WHOLESALE AND RETAIL SALES OF MOBILE DWELLINGS CONDUCTED AS A BUSINESS BY DEALERS OR MOBILE DWELLING PROJECT OWNERS/OPERATORS SHALL BE PROHIBITED IN THE D-11 DISTRICT. Except, however, a mobile dwelling project owner/operator may display not more than six (6) "model" mobile dwellings on mobile dwelling sites in the interior of the project, provided such model units shall not be displayed for sale or removal outside the project; and further provided that no signs relative to the "model" units shall be installed so as to be visible to the public outside the project.
- g. An incidental model home sign, as regulated in the Sign Regulations of Marion County, Indiana, (71-AO-4, as amended) shall be permitted for each "model" mobile dwelling. Provided further, however, nothing contained herein shall restrict the right of any individual owner of any mobile dwelling unit to sell or lease such unit.

B. D-11 DEVELOPMENT STANDARDS

- 1. PROJECT AREA      A minimum contiguous project area of fifteen (15) acres with the first phase not less than five (5) acres, shall be required. Each contiguous project area shall not exceed one hundred (100) acres.  
  
        Provided, however:  
  
        Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district after January 1, 1990.
- 2. MAXIMUM PROJECT DENSITY      Maximum project density: Six (6) units per gross project acre.
- 3. COMBINATION OF LOTS OR PORTIONS THEREOF      Whenever only a portion of a recorded lot is proposed as a mobile dwelling project or whenever two or more recorded lots or portions thereof are proposed to be combined to form a mobile dwelling project, the proposed mobile dwelling project as

shown on the site plan submitted shall be considered to be a newly created single lot, for the purposes of Section 2.15, B, 1 of this ordinance, and such newly created lot shall not be reduced in size or divided or split if such reduction, division, or split will result in a lot which would fail to meet any of the requirements of this section.

4. MINIMUM PROJECT FRONTAGE Each project shall have at least one hundred fifty (150) feet of continuous frontage on a public street and shall gain direct access from said street. Each project containing over thirty (30) dwelling units shall provide at least two (2) accesses from a perimeter public street.
5. PERIMETER YARD
  - a. A perimeter yard is required for each mobile dwelling project. All parking, buildings, structures, and mobile dwelling sites shall be located so as to provide a setback of at least fifty (50) feet from all perimeter lot lines. This fifty (50) foot perimeter yard shall be landscaped and shall not be used for anything other than passive open space or a required roadway entrance into the mobile home park. Perimeter yards must be landscaped, screened and maintained according to Section 2.21, F, provided, however;
  - b. Where the project abuts public perimeter streets, minimum perimeter front yards shall be sixty (60) feet, measured from the street right-of-way line of a local or collector street, or from the proposed right-of-way line of any primary or secondary arterial as indicated by the Official Thoroughfare Plan for Marion County, as amended.
6. MOBILE DWELLING SITES
  - a. Mobile dwelling sites within the project shall be provided for each mobile dwelling in accordance with the following standards:
    - (1) each mobile dwelling project shall be divided into mobile dwelling sites.
    - (2) each mobile dwelling site shall contain an area of no less than four thousand (4,000) square feet, provided, however;
    - (3) each mobile dwelling site, which requires a double or triple wide unit, shall contain an

area of no less than five thousand four hundred  
(5,400) square feet.

7. MINIMUM INTERIOR YARDS Minimum interior yards within the project shall be provided for all mobile dwelling sites in accordance with the following standards:
- a. A minimum required front building setback of ten (10) feet shall be provided, measured from the curb line of any interior street or interior access drive within the project. Parking spaces shall not be permitted within this required setback, however, driveways accessing parking areas on the site and other appurtenances are permitted.
  - b. A minimum distance of fifty (50) feet shall be provided between any recreational or other project common building and any dwelling unit within the project.
  - c. A minimum distance of twenty-five (25) feet shall be provided between dwelling units at their closest points to each other. Except, however, that any dwelling unit accessory structure, open on at least two (2) sides, may project into such required interior yard provided that the distance between such accessory structure and any other dwelling unit, or between such accessory structures of two dwelling units, shall be at least fifteen (15) feet.
8. MINIMUM RECREATIONAL AND OPEN SPACE AREAS Developed recreational and common open space areas equal to, at a minimum, eight (8) percent of the total area of the mobile dwelling project shall be required. Land used for the required perimeter yard, mobile dwelling sites, vehicular areas, access easements, and rights-of-way shall not be considered as part of this required eight (8) percent open space. Common open storage areas developed as required in Section 2.15, B, 10, shall not be included in the open space computation.
- a. These recreational and common open space areas shall be accessible to all project residents, appropriately located within the project with respect to the residents they are designed to serve and with regard to adjacent land uses. Accessibility to such areas shall not solely be gained by way of a mobile dwelling site or sites.

- b. Developed recreational areas may include, but shall not be limited to, such facilities as playgrounds, tot lots, swimming pools, game courts and common recreational buildings. An imaginative approach to the provision and design of such areas is encouraged. Project recreational needs will depend upon such factors as project site, size and the anticipated age characteristics of the residents. These areas shall provide for the use of all project residents and be appropriately located within the project with respect to the residents they are designed to serve and with regard to adjacent land uses.
  - c. Common open space areas are those areas within the project set aside for the common use of all project residents. The general design of these areas should demonstrate an awareness of their intended use for passive enjoyment. Utilization of common open space areas may be enhanced by improvements such as walkways, meandering trails, benches, flowers, shrubs and tree plantings, while still maintaining their natural open character.
  - d. Items such as drainage swales may be included as open space if, through proper design, they add favorably to the open space inventory and site development of the project and do not present a health or safety hazard to project residents.
  - e. Off-street pedestrian ways and/or bike paths shall be constructed where necessary to provide safe access to recreational and other service areas. Such off-street pathways shall have a minimum width of three (3) feet and shall have at least a three (3) foot wide area of open space along the sides of the pathway. All such off-street pathways shall be hardsurfaced.
9. MINIMUM  
PARKING  
AREA
- a. A minimum of two (2) hardsurfaced off-street parking spaces shall be required for each dwelling unit and shall be located on each mobile dwelling site.
  - b. One (1) parking space for each two hundred eighty-five (285) square feet or fraction thereof of gross floor area shall be required for the manager's office (not including storage space), and any common recreation structures located within the mobile dwelling project.

- c. Off-street parking areas shall not be permitted in any required interior front yard setback.
- d. Off-street parking facilities shall be provided and maintained in accordance with Section 2.21, E, 2, B.

10. STORAGE  
AREAS

a. Open Storage Area:

An open storage area shall be provided within the project boundaries for the purpose of storing travel trailers, campers, boats and other recreational vehicles owned by project residents. The open storage area required for the project shall be computed on the basis of one hundred twenty (120) square feet of space per mobile dwelling site. Such open storage areas shall be screened so as not to be directly visible from any perimeter boundary of the project and shall further be accessible to all project residents.

Travel trailers, campers, boats and other recreational vehicles shall be permitted to be stored only in such storage areas, whether temporarily or permanently.

b. General Storage Space:

In order to provide adequate storage facilities on or conveniently near each mobile dwelling site for the storage of outdoor equipment, furniture, tools, and other materials used only seasonally or infrequently, or incapable of convenient storage within the mobile dwellings, a minimum of one-hundred-fifty (150) cubic feet of general storage space within a structure per dwelling unit shall be provided on the mobile dwelling site, or in compounds located not more than one hundred (100) feet from each dwelling unit. Each such storage space shall be constructed and located in conformity with the approved SITE PLAN required by Section 2.15, B, 16. Provided, however, all or a portion of such storage space for any fully skirted mobile dwelling unit may be provided under such unit, in lieu of separate storage facilities.

11. PATIOS AND PAVED-STANDS      All mobile dwelling sites shall be improved as follows:
- a. Each mobile dwelling site shall contain a patio or deck with an area of no less than two hundred (200) square feet.
- Such patio or deck shall be constructed of concrete, brick, tile, treated wood or similar material, so as to result in a dust-free and well-drained surface.
- b. Concrete runners, concrete pillars or a paved-stand shall be provided to accommodate each mobile dwelling.
  - c. An anchoring system (tie-downs) shall be provided, installed and attached to the dwelling upon its placement on the mobile dwelling site to withstand the specified horizontal, up-lift, overturning wind forces on a mobile dwelling based upon accepted engineering design standards as required by Regulation HSE 21 of the Indiana State Board of Health.
12. SKIRTING      No later than thirty (30) days after a mobile dwelling has been placed upon a mobile dwelling site, the area between the bottom of the sides and ends of the mobile dwelling and the surface upon which it is located shall be enclosed by walls made of a visibly opaque skirting material. Mobile dwellings shall have skirting or other design attachments installed by the mobile dwelling owner which shall harmonize with the architectural style of the mobile dwelling. Access doors shall be permitted under the mobile dwelling.
13. UTILITIES      a. All utility lines, including, but not limited to electric, telephone, water, gas, and cable television lines shall comply with Underground Utility Line Regulations Ordinance 72-AO-5, as may be amended.
- b. Individual radio and television antennas, not exceeding four (4) feet in height, shall be permitted; or a central system utilizing underground wiring to individual dwelling units and accessory buildings may be installed.
14. MAXIMUM HEIGHT      a. All mobile dwellings, accessory structures and buildings: twenty-five (25) feet.

- b. All management offices, common recreation and service buildings: thirty-five (35) feet, with the exception of skylights, appurtenances, chimneys or similar structures.
15. STREETS AND SIDEWALKS
- a. Public streets, interior access drives, driveways, and off-street parking areas shall be provided in accordance with Section 2.21 Special Regulations.
  - b. Private interior streets, interior access drives and driveways shall be constructed with curbs and gutters and shall otherwise be provided in accordance with Section 2.21 Special Regulations.
- Provided, however, that private interior streets, private interior access drives and private interior access driveways which have two-way traffic with no parking shall have a minimum pavement width of twenty-four (24) feet, exclusive of curbs or gutters.
- c. Sidewalks shall be installed within each mobile dwelling project in accordance with the following:
    - (1) Sidewalks are required to be installed on one side of a street with an improved width of twenty (20) feet or less and on both sides of a roadway with an improved width of greater than twenty (20) feet,
    - (2) All sidewalks shall be hardsurfaced and shall have a thickness of no less than four (4) inches,
    - (3) Common sidewalks, with a minimum width of three (3) feet, intended to provide pedestrian circulation from one mobile dwelling to another or to various locations throughout the mobile dwelling project shall serve all mobile dwellings and common use areas that front upon or have access from a street improved with curbs and gutters. Such sidewalks shall be located parallel to a street,
    - (4) A hardsurfaced walkway having a minimum width of three (3) feet connecting the mobile dwelling with its off-street parking area shall be provided,



- (5) In addition to those sidewalks required by this Section 2.15, B, 15, sidewalks may be placed so that they bisect a block of mobile dwelling sites in order to provide an interior type of common sidewalk circulation system. Such sidewalks shall not be located on any mobile dwelling site. Such sidewalks shall have a minimum width of three (3) feet and shall have at least a three (3) foot wide area of open space along the sides of the sidewalk. This sidewalk and open space area may be figured into the required minimum recreational and open space area,
- (6) A sidewalk with a minimum width of three (3) feet may be provided for access from each mobile dwelling to a street or to a common walkway system,
- (7) No portion of any parking space shall encroach upon any portion of a sidewalk.

- 16. PROJECT AND SITE PLAN REQUIREMENTS In order that a petition for a D-11 District can be evaluated, the petitioner shall file with the petition a project ORIENTATION MAP, TOPOGRAPHIC MAP and SITE PLAN (as specified in paragraphs a., b., and c. which follow).

In addition to other permit requirements, a LANDSCAPE PLAN (as specified in Section 2.21 Special Regulations) shall be filed with the Division of Development Services of the Department of Metropolitan Development and approved by the Administrator thereof prior to the issuance of an Improvement Location Permit.

- a. The ORIENTATION MAP shall include a legal description and delineate the boundaries of the project site; and shall show the location of all the features listed below existing within one (1) mile of the project site.

- Public schools
- Thoroughfares
- Railroads
- Fire protection services
- Public transportation
- Major shopping areas
- Public recreational facilities

- Other important features which may affect the planned project
- b. The TOPOGRAPHIC MAP shall be drawn to scale, current dated, prepared and signed by a registered land surveyor or civil engineer and shall clearly show the following:
- Contours having an interval of two (2) foot,
  - All existing buildings and other structures or improvements such as walls, fence lines, culverts bridges, roadways, etc., with spot elevations indicated,
  - Location and spot elevations of rock outcrops, high points, water courses, depressions, ponds and marsh areas, with any previous flood elevations as may be determined by survey,
  - Boundaries of any floodway or floodplain zones or areas subject to periodic inundation,
  - Size, variety, caliper and accurate location of all existing trees over two and one-half (2 1/2) inch caliper; except within natural vegetation areas (woods, thickets or meadows) that will not be developed, but will be left and maintained as natural areas,
  - Boundary lines of property and corner monuments,
  - Soil types - careful attention must be given in the location and construction of mobile dwelling projects to the ability of the soil to support the development,
  - Location of any test pits or borings if required to determine subsoil conditions,
  - All easements, rights-of-way and other restrictions.

c. The SITE PLAN, drawn to scale, shall indicate:

- existing and proposed streets, access drives, driveways, interior access drives, sidewalks and pedestrian ways,
- all paving and hardsurfacing materials,
- ingress to and egress from the project site to/from perimeter public streets,
- minimum required yards,
- location of all parking, recreational and storage areas,
- individual mobile dwelling sites,
- location of mobile dwelling paved- stands,
- mobile dwelling project facilities such as office, laundry, storage and recreation structures,
- location, height and type of screens, walls and fences,
- all adjacent properties':
  - (1) lot lines;
  - (2) existing land use and zoning classification; and,
  - (3) approximate location of all existing structures within one hundred (100) feet of the project's property lines;
- a legend which shall include a listing of the overall acreage; the scale of the plan; gross and net density of lots, spaces or units; percentage and area of open spaces by types, number of spaces, building area of project buildings or structures; parking spaces required and provided, and estimated total population profile.

17. EXISTING a. All nonconforming mobile dwelling  
NONCON- projects on the effective date of this  
FORMING ordinance:  
PROJECTS;  
CONFORMITY (1) Shall conform to the development standards  
WITH and requirements of Section 2.21 F, 5 (Special  
CERTAIN Regulations - GROUNDS MAINTENANCE), Section  
STANDARDS 2.15, B, 11, ~~cb~~ (PATIOS AND PAVED-STANDS), and  
REQUIRED; Section 2.15, B, 12 (SKIRTING) of this  
PLAN ordinance on or before January 1, 1993, or the  
APPROVAL use thereof shall be terminated after such date;  
and,  
(2) Shall conform to the development standards and  
requirements of Sections 2.21, F, subsections 1  
through 4 (Special Regulations - Screening,  
Landscaping, Lighting) of this ordinance on or  
before January 1, 1993, or the use thereof shall  
be terminated after such date.
- b. A plan for each such nonconforming project shall be  
filed with the Division of Development Services of  
the Department of Metropolitan Development and  
approved by the Administrator thereof in accordance  
with the following schedule. Within 90 days after  
the effective date of this ordinance, a plan shall be  
filed setting forth a legal perimeter description.  
The number of mobile dwelling sites, location of  
streets, light poles, and the existing nature of  
perimeter landscaping or visual screening shall be  
indicated. Within three (3) years after the  
effective date of this ordinance, a plan for  
compliance or a statement of existing compliance  
shall be filed setting forth the proposed or existing  
manner of compliance with Section 2.15 B, 17, a of  
this ordinance. The project's required development  
in conformity with provisions of this ordinance  
specified in paragraph a. above shall be in accord-  
ance with such approved plan.
- As a part of such plan approval, the Administrator of  
the Division of Development Services shall have power  
to modify any screening or landscape requirements  
deemed by the Administrator to be unnecessary,  
infeasible or unreasonably burdensome.
- c. In all subsections of this section where the  
Administrator is given the authority of discretionary  
approval of plans and specifications, or the method

or manner of qualification, or any other similar authority, any party of interest shall have the right to bring such action by the Administrator before the Metropolitan Development Commission for its review and approval or disapproval through the filing of an Approval Petition. The right to have such action of the Administrator reviewed by the Metropolitan Development Commission shall be in addition to any other right an aggrieved party may have under law to have such action reviewed, including, but not limited to, the right to appeal such action to the Metropolitan Board of Zoning Appeals of Marion County, Indiana.

SECTION 2.16. D-12 DWELLING DISTRICT TWELVE REGULATIONS

STATEMENT OF PURPOSE

The D-12 District represents a relatively low density level of residential development utilizing two-family dwellings. The district permits a subdivision consisting entirely of such dwellings, but at a density comparable to single-family development. Proximity to major thoroughfares, public utilities, school and park facilities is necessary. The D-12 District has a typical density of 5 units/ gross acre. The district represents the low density residential classification according to the Comprehensive General Land Use Plan. All public and community facilities are required. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.

A. PERMITTED D-12 USES

The following uses shall be permitted in the D-12 DISTRICT. Only one primary use shall be permitted per lot. All uses in the D-12 DISTRICT shall conform to the D-12 Development Standards (Section 2.16, B) and the Dwelling District Regulations of Section 2.00.

1. PRIMARY USES:

- a. TWO-FAMILY DWELLING.
  - b. GROUP HOME, as defined in Section 2.25.
  - c. RELIGIOUS USE, as regulated in Section 2.24.
2. TEMPORARY USES, as regulated in Section 2.18.
  3. ACCESSORY USES, as regulated in Section 2.19.
  4. HOME OCCUPATIONS, as regulated in Section 2.20.

B. D-12 DEVELOPMENT STANDARDS

1. MINIMUM Minimum Lot area: 9,000 sq. ft.  
LOT AREA

Provided, however:

Any plat of a subdivision consisting of five (5) or more lots submitted for plat approval in accordance with the Subdivision Control Ordinance of Marion County, Indiana, subsequent to the effective date of this ordinance, may reduce said minimum lot area for up to twenty (20) percent

of the total number of lots within said plat, to the extent of up to twenty (20) percent below such 9,000 sq. ft. requirements, provided the average size of all lots within said approved plat shall be at least 9,000 sq. ft.

Provided, however:

Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district for lots in any plat of a subdivision recorded after January 1, 1990.

2. MINIMUM LOT WIDTH AND STREET FRONTAGE
  - a. Minimum lot width at the setback line: 70 feet
  - b. Minimum street frontage: Each lot shall have at least 35 feet of frontage on a public street and shall gain direct access from said street.
3. MINIMUM SETBACK LINES AND YARDS
  - a. Minimum setback line and front yard: Front yards having a minimum depth in accordance with the setback requirements of Section 2.21, A, shall be provided along all public street right-of-way lines.
  - b. Minimum rear yard: 20 feet
  - c. Minimum side yard: Aggregate: 10 feet Provided, however, no side yard shall be less than 4 feet.
4. MINIMUM OPEN SPACE
  - Minimum open space: 65 percent of the lot area.
5. MAXIMUM HEIGHT
  - a. Primary building: 35 feet.
  - b. Accessory buildings: 20 feet.
6. MINIMUM MAIN FLOOR AREA
  - Minimum main floor area of the primary building, exclusive of garage, carports, and open porches:  
  
one-story building: 900 sq. ft. for each dwelling unit.  
  
Building higher than one story: 660 sq. ft. for each dwelling unit in the building, provided the total floor area of each unit shall be at least 900 sq. ft.

7. OFF-STREET PARKING AND PUBLIC STREETS      Off-street parking areas and public streets shall be provided in accordance with Section 2.21, E and C.